The A. F. of L. Weekly News Service gives news accounts and editorial interpretations of matters affecting labor occurring in the industrial, legislative and judicial fields, and contains other information of benefit to the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

Entered as second-class matter September 29, 1915, at the Post Office at Washington, D. C., under the Act of August 24, 1912. Acceptance for mailing at special rate of postage provided for in Sec. 1103, Act of October 3, 1917, authorized July 11, 1918.

WHOLE NO. 1558 WILLIAM GREEN, President WASHINGTON, D. C., TUESDAY, FEBRUARY 18, 1941 GEORGE MEANY, Secretary-Treasurer VOL. 31, NO. 7

AFL Executive Council Seeks End Of Anti-Trust Suits Against Labor

Miami, Fla.—A conference between Attorney General Jackson and Joseph A. Padway, A. F. of L. counsel, is being arranged in a move to liquidate about 100 pending anti-trust cases aimed at organized labor, William Green, president of the American Federation of Labor, announced here, following a meeting of the AFL Executive Council. President Roosevelt, he said, had agreed with him that such a conference should be held to provide a chance for the government to explore the situation and determine its future policy in anti-trust cases involving unions.

"It appears that as a result of the Supreme Court decision in the carpenters' case that the anti-trust campaign of Assistant Attorney General Thurman Arnold is practically terminated," he declared. "These cases have cost our unions large sums of money, high attorney's fees, printing, preparing of records and other costs. The cases have aroused great resentment among the ranks of labor.

"We insist in the view that the Supreme Court decision means that this campaign ought to cease. Instead, if there is any evidence that men connected with labor are guilty of offenses let them be tried under the statutes applicable rather than under the anti-trust laws. We have no objection to due process of law, but do protest against trying labor officials under the criminal provisions of the anti-trust laws."

Changes In Wage and Hour Act Deferred by A. F. of L. Council

Miami, Fla.—The Executive Council of the American Federation of Labor decided not to press for amendments to the Fair Labor Standards Act of 1938, William Green, president of the A. F. of L., announced. The decision followed a conference with Col. Philip B. Fleming, Wage-Hour Administrator.

The A. F. of L. has some amendments which it will ultimately put forward, but it does not wish to do so at this time because of the national defense emergency, Mr. Green said.

The Executive Council's conference with Colonel Fleming, according to Mr. Green, was exploratory. The administrator, he added, would be asked before the council developments of the last year in order that organized labor might work out a future program respecting the Wages and Hours Law.

As a result of the conference, Mr. Green declared, the A. F. of L. was convinced that "clarifying" amendments to the Wages and Hours Law would have to be passed ultimately by Congress. These amendments would, he stated, specifically define what is meant by "service" industries, further power on the administrator to give advisory opinions to employers, define more specifically in-

News Briefs

D. & H. RAILROAD UNIT FORMED BY AFL UNIONS

Albany, N. Y.—Seven railroad craft unions in the shops of the Delaware & Hudson Railroad have formed a system union under the sponsorship of the American Federation of Labor.

Representatives of district organizations from as far as Rouses Point and Wilkes-Barre met here and elected Frank Surdovel of Scranton president of the federation.

Other officers are James French of Cohoes, vice president, and John J. Fox of Albany, secretary-treasurer.

MILLIONS ARE EMPLOYED BY RETAIL MERCHANTS

Washington, D. C.—Employment for 6,214,490 persons was provided by retail trade in 1939 according to an announcement by Vergil D. Reed, Acting Director of the Census. Of this number, 3,730,932 were full-time employees, 869,885 were part-time employees and 1,613,673 were owners or proprietors of unincorporated businesses.

Pay roll totaled $4,529,499,000 for full-time and part-time employees, not including compensation of proprietors and firm members. Pay roll was $4,210,768,000 went to full-time employees, and $318,731,000 to part-time employees. Pay roll includes wages, salaries, sales commissions and bonuses, and the total paid in 1939 is equivalent to $1,229 for each full-time employee and $366 for each of those working part time.

AFL SEAFARERS' UNION REPORTS LARGE GAINS

Miami, Fla.—Harry Lundeberg, secretary of the Seafarers' International Union of North America, A. F. of L. affiliate, reported to the Executive Council of the American Federation of Labor here that his union had completely organized the seamen on the West and Gulf Coasts. He said he had a group of organizers working on the North Atlantic Coast in cooperation with the AFL International Longshoremen's Association.

N. Y. MINIMUM WAGE LAW RULED UNCONSTITUTIONAL

New York, N. Y.—The Bronx Special Sessions Court in a two-to-one decision denied the New York State minimum wage law for women and minors, covering 153,000 women and boys in six industries, unconstitutional.

The law, passed by the State Legislature in 1937, empowers the Division of Women and Industry and Minimum Wage Board in the State Department of Labor to fix minimums for women and minors in specific industries after public hearings, requires that orders after hearings open to employers, employes and the public, with penalties for violation of the wage orders.

The majority opinion held that the law represented "an unlawful delegation of power to the industrial commissioner to decide what is and what is not a fair wage, and what is a crime and what is not a crime."

SAVINGS OF MILLIONS VISIONED ON CLOTHING

Washington, D. C.—The Office of Production Management said the new procedure of the United States Army in planning to ask bids soon on large quantities of winter clothing would effect savings of at least $20,000,000 for the Government.

Ordinarily the Army would not order clothing for such winter until after the start of the fiscal year on July 1, which is the period when normally industrial activity is at its peak with the result that heavy governmental demands normally begin in the clothing industry. It was predicted that savings of $20 million or more would be larger than the estimate of $20,000,000 to the Government.

NLRB NAMES MRS. STERN EXECUTIVE SECRETARY

Washington, D. C.—Mrs. Beatrice M. Stern, assistant secretary of the National Labor Relations Board since its establishment in August 1935, has been named by the Board to fill the newly created position of executive secretary.

In announcing the appointment the Board said in part:

"In addition to an intimate knowledge of the work of the Board Mrs. Stern brings to her new duties eight years of continuous experience in the field of labor law administration. In 1933 she was employed as executive assistant in the National Labor Board under the chairmanship of Senator Robert F. Wagner. William M. Leiserson, now member of the National Labor Relations Board, was then executive secretary of the National Labor Board. Mrs. Stern assisted him in his duties."

Upon the establishment of the first National Labor Relations Board in 1934 Mrs. Stern served as executive staff. In her new duty she will serve as budget officer for the Board and will have executive charge of the Board's service sections and of its records.

Army of Six Million Unemployed Visioned by AFL at End of 1941

There will be six and a half or six million employed workers in the United States at the end of the year despite the big decrease in jobs caused by the national defense program and aid to Britain, according to estimates of the American Federation of Labor Research Service contained in the February issue of the American Federationist. The AFL estimate of unemployment in December was 7,900,000.

"The increase in employment has not been as rapid to date as was originally expected from the defense program," the Research Service pointed out. "There were almost two million more people employed in December, 1940, than in December 1939. As the defense work continues, the gain in employment will be at a less faster rate but probably not as fast as some of the most hopeful estimates indicate.

"The defense expenditures for the next year are currently expected to be about ten billion dollars. Manufacturers estimate that it takes, on the average, $6,000 of defense work to put one wage-earner to work in the manufacturing industries. Applying this supports the conservative estimate, stated by Acting Commissioner Hunter of the WPA, in a radio address January 14, that an additional two million persons would get jobs in private industry during 1941.

"This...then, is the picture: There were some eight million persons unemployed at the end of 1940. If the Army takes nearly one million and private industry two or two and a half million persons during 1941, the unemployment would be reduced to four and a half or five million if no new workers came into the labor market.

"However, if we may anticipate at least half a million normal increase and perhaps a million abnormal increase in workers looking for jobs, adding these to the unemployed, we may have six or six and a half million job-hunters still unemployed at the end of 1941.

"Some parts of the country can expect little stimulus from defense work. In these areas, older workers or those who have been unemployed for long periods will have relatively little chance to get work. The $995,000,000 allotted to the WPA for the next fiscal year will not be enough to provide for all these left unemployed by private industry. It will care for about the same percentage of unemployed persons (twenty-five per cent) as are now on WPA."

All Legislation Outlawing Strikes Attacked By AFL Executive Council

Compulsory Arbitration Is Also Assailed; Federal Board Representing Labor and Industry Urged to Adjust Disputes.

Miami, Fla.—Every brand of legislation designed to ban strikes or impose compulsory arbitration of industrial controversies was denounced in strong terms by the Executive Council of the American Federation of Labor in session here.

Emphasizing the complete agreement of the A. F. of L. with the Government's policy to provide adequate national defense and aiding Great Britain in the struggle against totalitarianism, the Executive Council pointed out that despite the Federation's one hundred per cent approval of this program there is a movement on foot to use the national emergency to put forward legislative proposals aimed at robbing the workers of their fundamental rights secured during many years of struggle. These schemes, the Executive Council said, must be fought to a finish and definitely discarded.

As a positive and constructive method of approaching the general question of industrial disputes the Executive Council suggested the establishment of a Federal board composed of representatives of labor and industry similar to the one that functioned successfully during the World War on the basis of voluntary procedure.

"Organized labor is unalterably opposed to anti-strike or compulsory arbitration legislation in any form whatsoever," the Executive Council said. "Labor has always regarded compulsory work or service as violative of our cherished liberties and in direct violation of the Thirteenth Amendment to the Constitution. The question of forced labor was settled by the Civil War and should not be revived at this time.

"The American Federation of Labor is in full agreement with the present policy of our Government in providing adequate defense for this country, in safeguarding the rights and liberties of our neighbors in the Western Hemisphere, and in assisting Great Britain and her allies to withstand the aggression of the totalitarian powers and thus defending the principles and ideals of human rights, freedom and of democracy.

"The American Federation of Labor has proven its loyalty and patriotism on more than one occasion. In previous emergencies, whether in time of peace or war, the Federation of Labor and its affiliated unions have always been found ready and willing to aid our Government in its endeavors and in the promotion of the well-being of our people. There is no reason to question their loyalty on this occasion and in this emergency.

"We regret that there is, as in the last war, a movement on foot to limit, curtail and destroy established and fundamental rights of the workers in this country. Opponents of organized labor see in this emergency an opportunity to tear down rights acquired by organized labor in struggles over the years and which have now become the established policy of the nation.

"This anti-labor policy manifests itself in the submission to the present Congress of numerous bills dealing with the subject of labor and defense industries.

"It would be difficult to make detailed comment respecting each bill. In the main they propose to deal with obstacles in the way of continuous production. In truth, they seek to prevent the exercise of fundamental rights of organized labor such as the right to self-organization, to form, join or assist labor organizations, to bargain collectively through chosen representatives, to engage in lawful concerted activities for the promotion of the welfare and living standards of workers.

"It is now the settled policy of this country that these rights are constitutionally guaranteed. Yet an examination of the bills referred to indicate conclusively that the foregoing rights would be curtailed, invaded and in many instances completely annihilated. The most common means by which these bills seek to deny organized labor its fundamental rights is to provide for a so-called 'cooling-off' period. During these periods no strike or stoppage of work may take place. However, it is apparent that the real purpose is not a 'cooling off' period but rather to impose upon organized labor 'compulsory arbitration.'

"The American Federation of Labor is unalterably opposed to compulsory arbitration in any form. It is contrary to every basic principle of American democracy. The adoption of the principle of compulsory arbitration would be to adopt that which the defense program is set up to defeat. The enactment of compulsory work legislation can only result in industrial confusion. The establishment of industrial unrest is of no more value to the defense program in the important months ahead than could possibly be undone by years of rigid enforcement of a statute that would be the very essence of slavery.

"The British Government in its present hour of test and trial has found it unnecessary to resort to anti-labor legislation. Instead it has appealed to the heart and mind of labor. As a result labor in Great Britain is giving service of the highest order and of the most valuable kind. If Great Britain, at a crucial moment, the most critical in all its history, has found it unnecessary to resort to anti-labor legislation, why is it necessary for the United States do so? Labor in America will give service on a voluntary basis just as labor in Great Britain is doing.

"The American Federation of Labor is desirous to cooperate with the Government for the promotion of efficiency in production and for the elimination of obstacles to continuous production. We recognize that the present war is one of machines and of men who operate them. Continuous and efficiency and regularity in production are essential for the establishment of our own adequate defenses. We understand, too, that it is essential for the preservation of American democracy that production be kept at the highest level that for her to do so America must supply her with materials, machines and weapons. Organized labor has demonstrated in the past and will demonstrate again that superiority in efficiency can and will be maintained by voluntary action on the part of workers employed in industry and without compulsion of any kind.

"Organized labor has indicated its willingness to conciliate, mediate and voluntarily arbitrate its labor differences. If the same disposition is shown by employers, the nation is assured of the practical elimination of labor strife.

"In the last war, a board with equal representation on the part of labor and industry was created by Congressional action and not through Congressional enactment. That board and its procedure were devised to protect the rights of free enterprise and of free labor. It brought about agreements on the part of the employers and workers and their representatives. Through procedure, the basis of which was wholly voluntary, the parties met and adjusted their differences. The history of the last war proves that industrial unrest was practically abolished and both the employer and labor cooperated with the Government in its production and war program. The present war is a war of a totally different nature.